

SENATE BILL REPORT

SB 5601

As Reported by Senate Committee On:
Agriculture, Water & Rural Economic Development, February 12, 2015

Title: An act relating to requiring the Washington state department of agriculture to approve the comparable recertification standards of private entities for the purposes of waiving the recertification requirements under the Washington pesticide control act.

Brief Description: Requiring the Washington state department of agriculture to approve the comparable recertification standards of private entities for the purposes of waiving the recertification requirements under the Washington pesticide control act.

Sponsors: Senators Warnick, Rivers, Schoesler and Honeyford.

Brief History:

Committee Activity: Agriculture, Water & Rural Economic Development: 2/05/15, 2/12/15 [DPS].

SENATE COMMITTEE ON AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 5601 be substituted therefor, and the substitute bill do pass.

Signed by Senators Warnick, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Hobbs and Honeyford.

Staff: Bonnie Kim (786-7316)

Background: The Washington State Department of Agriculture (WSDA) licenses people who use, sell, or consult on the use of pesticides. WSDA's pesticide licensing program includes 12 license types and over 25 exam categories. All but the Limited Private Applicator and Rancher Private Applicator licenses must be renewed annually.

Generally all licensees must complete recertification requirements – 40 WSDA-approved credits with no more than 15 credits allowed per year or by meeting examination requirements – every five years. The director may waive the recertification requirements if the licensee can demonstrate the licensee is meeting comparable recertification standards through another state or jurisdiction or through a federal Environmental Protection Agency-approved government agency plan.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill (Recommended Substitute): The director may also waive the recertification requirements if the licensee can demonstrate the licensee is meeting comparable recertification standards through a WSDA-approved private entity.

WSDA may adopt rules establishing the comparable recertification standards for private entities. WSDA may also establish procedures for private entity recertification waiver revocation.

EFFECT OF CHANGES MADE BY AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT COMMITTEE (Recommended Substitute): Clarifies that WSDA may adopt rules establishing the comparable recertification standards for private entities. WSDA may also establish procedures for private entity recertification waiver revocation.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: This bill will give certain private entities the same opportunity for reciprocity with other entities approved by the Environmental Protection Agency (EPA). This bill does not require WSDA to approve private entities, but affords WSDA the opportunity.

OTHER: WSDA waives recertification requirements for 11 other states. We have concerns about the additional oversight required. This bill would result in a substantial change to the current program, and would require significant revisions to the program and submittal to EPA for approval. There is no provision allowing WSDA to revoke approval.

Persons Testifying: PRO: Brian Faw, AgForestry Class 36.

OTHER: Ted Maxwell, WSDA.